

U.S. 531, 542 (2008). A plaintiff seeking a temporary restraining order must establish four elements, including that: (1) it is likely to succeed on the merits; (2) it is likely to suffer irreparable harm in absence of preliminary relief; (3) the balance of equities tips in its favor; and, (4) an injunction is in the public interest. Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008).

Here, the Court finds that Plaintiff has failed to establish that her claim will likely succeed on the merits at this time. Plaintiff has cited to no statute or mandate that requires Defendant to adjudicate I-765 applications within five months. Moreover, a case in a sister circuit with almost identical facts denied a TRO. See, e.g., Muvvala v. Wolf, 2020 U.S. Dist. LEXIS 177082, *4–6, 18 (D.D.C. Sept. 25, 2020) (finding a delay of at least 103 days was not unreasonable). Thus, based on the currently presented evidence and five-month delay, the Court declines to grant a TRO.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion for TRO and Preliminary Injunction, (Doc. No. 5), is **DENIED in part** as to the TRO;
2. This Court **RESERVES JUDGMENT** as to the preliminary injunction and will conduct a hearing on the merits of the preliminary injunction on Friday, October 22, 2021, at 12:00 pm in Courtroom 4A. Defendants' Response to Plaintiff's preliminary injunction motion is due by October 1, 2021. Plaintiff's Reply is due by October 8, 2021.

Signed: September 21, 2021



Robert J. Conrad, Jr.
United States District Judge

